

Environmental Protection Agency

§ 86.1843-01

additional testing or any other information, the Administrator determines that the vehicles affected by the addition or change do not meet the applicable standards the Administrator will notify the manufacturer to rescind the addition or change immediately upon receipt of the notification.

(c) Election to produce vehicles under this section will be deemed to be a consent to recall all vehicles which the Administrator determines under paragraph (a) or (b) of this section do not meet applicable standards, and to cause such nonconformity to be remedied at no expense to the owner.

§ 86.1843-01 General information requirements.

(a) A manufacturer must submit a separate Application for Certification (Application) for each durability group in a format approved by the Administrator and in multiple copies as designated by the Administrator. Any information within the Application which is unique to a specific test group must be submitted for each test group.

(b) Any manufacturer that fails to comply with any information requirements of §§ 86.1843-01 and 86.1844-01 may be subject to the following provisions:

(1) The Application (Part 1 and Part 2) and any additional information as designated by the Administrator shall be submitted for all durability groups prior to certification for subsequent model years, until otherwise notified by the Administrator. The Application shall be updated concurrently with every running change.

(2) Provisions of § 86.1850-01 may be imposed.

(3) Civil penalties and remedial action as applicable under the Clean Air Act may be imposed.

(c) *Part 1 of the Application.* Part 1, which shall include the items listed in § 86.1844-01(d), must be submitted to the Administrator before a certificate of conformity will be issued.

(d) *Part 2 of the Application.* Part 2, which shall include the items listed in § 86.1844-01(e), must be submitted to the Administrator by January 1st of the applicable model year. If a test group is certified less than 60 days prior to January 1st of the applicable model year, Part 2 must be submitted to the Ad-

ministrator within 90 days of the effective date on the applicable certificate of conformity.

(e) *Running change submissions.* Each running change notification, as required under § 86.1842-01, must include the information listed in § 86.1844-01(f) and shall be submitted to the Administrator concurrently with, or in advance of, the implementation of any change incorporated onto production vehicles.

(f) *Updates to the Application for Certification.* (1) The manufacturer must submit an update to the Part 1 Application by January 1st of the applicable model year to incorporate any running changes and/or corrections which occurred after certification. If a test group is certified less than 60 days prior to January 1st of the applicable model year, this update may be submitted to the Administrator within 90 days of the effective date on the applicable certificate of conformity.

(2) The manufacturer must submit a final update to Part 1 and Part 2 of the Application by January 1st of the subsequent model year to incorporate any applicable running changes or corrections which occurred between January 1st of the applicable model year and the end of the model year. A manufacturer may request the Administrator to grant an extension (of no more than 90 days) for submittal of the final update. The request must clearly indicate the circumstances necessitating the extension.

(3) The manufacturer may not use updates to its application to correct a misbuild situation with respect to vehicles already introduced into commerce.

(g) *Information to be submitted upon request.* Upon written request by the Administrator, a manufacturer shall submit any information as described in § 86.1844-01 within 15 business days. A manufacturer may request the Administrator to grant an extension. The request must clearly indicate the circumstances necessitating the extension.

(h) *In-use information requirements.* All information requirements of the in-use verification and confirmatory programs of §§ 86.1845-01 and 86.1846-01 must be met by the due dates listed in § 86.1847-01.